

AN ORDINANCE **98114**

ACCEPTING THE OFFER OF M. J. BOYLE GENERAL CONTRACTOR, INC. TO PROVIDE EMERGENCY REPAIRS TO THE HEMISFAIR PARK GARAGE PARKING DECK FOR A TOTAL AMOUNT OF \$31,713.00, AND RATIFYING SERVICES PROVIDED IN CONNECTION THEREWITH.

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WHEREAS, recent damage has rendered the parking garage located at the Hemisfair Park Tower of the America's unusable for safety reasons; and

WHEREAS, damage consists of a hole on the upper deck of the parking garage, approximately 24 inches by 18 inches in size, exposing the metal reinforcing wire; and

WHEREAS, several support beams for the upper deck landing suffered significant cracks at the vicinity of the hole; and the garage has remained closed since the incident preventing its use for the Tower of Americas restaurant and their guests; and

WHEREAS, an informal proposal was solicited for an emergency purchase of repair services; and

WHEREAS, an offer was submitted by M. J. Boyle General Contractor, Inc. to provide the City of San Antonio with emergency repairs to the Hemisfair Park garage parking deck for a total amount of \$31,713.00; and

WHEREAS, this contract provides labor, materials, and equipment to repair the parking deck located at the Hemisfair Park Tower which includes a one-year warranty on parts and labor; and

WHEREAS, it is now necessary to ratify the goods and services described in the contract that were already provided due to the emergency nature of this procurement; and

WHEREAS, the Local Government Code §252.022 (a) (3) provides for procurements that are necessary because of unforeseen damage to public property and may be handled without the formal bid process; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

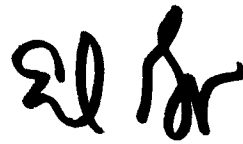
SECTION 1. The offer from M. J. Boyle General Contractor, Inc. to provide the City of San Antonio with emergency repairs for a total amount of \$31,713.00 is hereby accepted, and the provision of goods and services pursuant to that offer are hereby ratified. Attached hereto and incorporated herein for all purposes as Attachment A are the proposal and bid tabulation sheet, and the certificate of exemption from competitive bid or proposal requirements.

SECTION 2. Funds will be encumbered in Fund 11-00000 (General Fund) in Index Code 309047 entitled Maintenance and Repairs Buildings and Improvements when a purchase order in the amount of \$31,713.00 is issued and made payable to M.J. Boyle General Contractor, Inc.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. This ordinance shall take effect ten days from the date of passage.

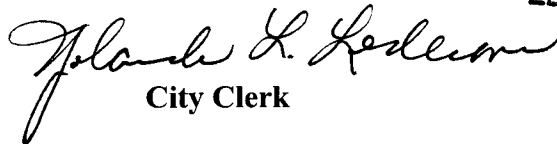
PASSED AND APPROVED this 4th day of September, 2003.



M A Y O R


EDWARD D. GARZA

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney